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02	AT SEATTLE CLERK U.S. DISTRICT COURT CLERK U.S. DISTRICT OF WASHINGTON WESTERN DISTRICT OF WASHINGTON DEPUTY		
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05	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON		
06	AT SEATTLE		
07	JAMES ARTIS CASON,)	
08	Petitioner,)) CASE NO. C11-1412-JLR	
10	v.) ORDER GRANTING MOTION TO) DISMISS FEDERAL HABEAS	
11	SCOTT FRAKES, et al.,) PETITION	
12	Respondents.))	
13	The Court, having reviewed petitioner'	's petition for writ of habeas corpus, respondent's	
14	motion to dismiss, the Report and Recommendation of Mary Alice Theiler, United States		
15	Magistrate Judge, and the remaining record, does hereby find and ORDER:		
16	(1) The Court adopts the Report an	nd Recommendation;	
17	-	iss petitioner's federal habeas petition (Dkt. No.	
18	14) is GRANTED;		
19	-	of habeas corpus (Dkt. No. 9) and this action are	
20	DISMISSED without prejudice;		
22	/// ///		
	ORDER GRANTING MOTION TO DISMISS FEDERAL HABEAS PETITION PAGE - 1		

01	(4) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the	
02	United States District Courts, a certificate of appealability is DENIED; and	
03	(5) The Clerk shall send copies of this Order to petitioner, to counsel for respondent,	
04	and to Judge Theiler.	
05	DATED this 2 day of March, 2012.	
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07	JAMES L. ROBART	
08	United States District Judge	
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	ORDER GRANTING MOTION TO DISMISS FEDERAL HAREAS PETITION	